

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

In re: PATENT APPLICATION of:

Inventor(s): Gorl et al.

Appl. No.: 09 576,179

Group Art Unit 1713

Examiner: Lee, R.A.

Atty. Dkt. P 0268103

O.Z. 05598

Series Code ↑

Serial No. ↑

M#

Client Ref

Filed: May 23, 2000

Title: RUBBER POWDERS WHICH CONTAIN LARGE AMOUNTS OF FILLERS, A PROCESS FOR PREPARING THEM AND THEIR USE

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DO NOT USE FOR PROVISIONAL, DIVISIONAL, CIP OR DESIGN APPLICATIONS, OR REEXAMINATION OF PATENTS

APR 01 2003

TC 1700

Hon. Commissioner of Patents
Washington, D.C. 20231

Date: March 26, 2003

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114

Please continue the examination of this application.

PREREQUISITES

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).

Prosecution has been closed as defined in Rule 114(b).

Reply to any outstanding action must be enclosed or previously filed.

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☐ enter ☐ do not enter the Amendment filed
2. ☒ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed ___ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement
☐ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA
☐ PTO-1449 ☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of ___ months (3 mos. Max) for which charge the required \$130 fee (fee code 098) to our Deposit Account (see below).
7. Petition is hereby made to extend the original due date of ___ to cover the date
this Request is filed. **PLEASE CHARGE** the requisite fee to our Deposit Account (see below)
(1 mo) \$110/\$55
(2 mos) \$410/\$205 + 0
(3 mos) \$930/\$465
8. **PLEASE CHARGE** the Rule 17(e) (RCE) filing fee of ☒ \$750 (lg. ent.) ☐ \$375 (sm. ent.) plus any deficiency and any other fee due now or later to our Deposit Account No. 03-3975 under Order No. 021123 / 0268103

NOTE: Rule 17(e) filing fee Cannot be deferred!
NO CLAIMS FEE REQUIRED unless you are adding claims by box 2 Amendment in which case cover this with PAT-120.

03/31/2003 SZEWDIE1 00000106 033975 09576179 C# M#
01 EC-1801 750.00 CH

Pillsbury Winthrop LLP
Intellectual Property Group

P.O. Box 10500
McLean, VA 22102

By Atty: Thomas A. Cawley, Jr.

Reg. No. 40,944

(703) 905-2000
Atty/Sec: TACJ/GXP

Sig:

Fax: (703) 905-2500
Tel: (703) 905-2144

NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Görl et al.
 Appln. No.: 09

Group Art Unit 1713
 Examiner: Lee, R.
 Atty. Dkt. 0268103

O.Z. 05598
 Client Ref

Filed: May 23, 2000

Hon. Commissioner of Patents
 Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Date: March 26, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim A. <input checked="" type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input type="checkbox"/> made previously For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims		8	**minus 20	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims		1	***minus 3	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)		add			+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: November 26, 2002		<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =				115/215
		(2 mos)	\$410/\$205 =		+ \$1450		116/216
		(3 mos)	\$930/\$465 =				117/217
		(4 mos)	\$1,450/\$725 =				118/218
		(5 mos)	\$1,970/\$985 =				128/228
7. Enter any previous extension fee paid since above original due date and subtract				- \$0			
8.				Extension Fee	+ \$1450		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee				+ \$110/\$55	+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c),				+ \$180	+ \$0		126
or if Rule 97(d) Request				+ \$180			126
11. After-Final Request Fee per rules 129(a) and 17(r)				+ \$750/370	+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b)				x \$750/375 ea	+ \$0		149/249
13. Request for Continued Examination (RCE)				+ \$750/375	+ \$0		1179/1279
14. Petition fee for					+ \$0		
15.				TOTAL FEE =		\$1450	
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".							
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.							
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.							
				PLEASE CHARGE OUR DEP. ACCT			

Our Deposit Account No. 03-3975)

(Our Order No. 021123 0268103

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP

Intellectual Property Group

By Atty: Thomas A. Cawley, Jr.

Reg. No. 40,944

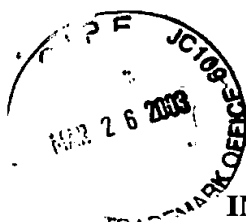
P.O. Box 10500
 McLean, VA 22102
 Tel: (703) 905-2000

Sig:

Fax: (703) 905-2500
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Atty/Sec: TACJ/GXP

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



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In re PATENT APPLICATION of

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Examiner: LEE, R.A.

15/P
2/2/3

March 26, 2003

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AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. 1.114

Hon. Commissioner of Patents
Box RCE
Group Art Unit 1713
Washington, D.C. 20231

Sir:

This is in response to the final official action dated March 26, 2002, wherein the pending claims were variously rejected under 35 U.S.C. §103. The applicants respectfully traverse in view of the following amendments and remarks.

I. AMENDMENTS

Please amend claims 1-5 and 16-18 as follows:

1. (Twice Amended) A rubber powder, containing one or more oxidic or siliceous fillers, comprising at least one member selected from the group consisting of synthetic fillers in an amount of 400 phr to 5000 phr and naturally occurring fillers in an amount of 400 phr to 5000 phr; and

carbon black in an amount of 400 phr to 5000 phr, wherein the total amount of the fillers and carbon black does not exceed 5000 phr;

wherein the surface of said oxidic or siliceous fillers is modified with one or more organosilicon compounds of the formulae:



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